



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No:82528 Anticipated Classification of this application:

Class 438 Subclass

584

Prior Application:

USSN:09/563,740

Examiner: Munson, G. Group Art Unit: 2811

Box Patent Application Hon. Commissioner of Patents and Trademarks Washington, DC 20231

TRANSMITTAL OF FILING UNDER 37 CFR \$1.60(B)

Sir:

This is a request for filing a

Continuation

M Divisional

application under 37 CFR §1.60, of pending prior application serial no. 09/563,740 filed on May 3, 2000, for Electronic Devices with Diffusion Barrier and Process for Making Same.

1. Copy of Prior Application as filed which is attached

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified complete prior application, including the oath or declaration originally filed (37 CFR 1.60).

The copy of the papers of prior application as filed which are attached are as follows:

্⊠	34	pages of	f specificat:	ion			
D	6	pages of	f claims				
M	1	pages of	f abstract				
P	9	sheets	of drawings				
Ē	1	page of	declaration	and	power	of	attorney

 $\mathbf{M}$ in accordance with the indication required by 37 CFR 60(b) my records reflect that the original signed declaration showing applicant's signature was filed on May 3, 2000.

the amendment referred to in the declaration filed to complete the prior application and I hereby state, in accordance with the requirements of 37 CFR 1.60(b), that this amendment did not introduce new matter therein.

## 2. Amendments

- Cancel in this application original claims 1-14 and 22-28 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- 3. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment
  - There is provided herewith a Petition to Suspend Prosecution for the time necessary to file an amendment (new application filed concurrently).
- 4. Information Disclosure Statement
  - An information disclosure statement is submitted herewith.
- 5. Fee Calculation (37 CFR 1.16)

N	No. Filed	No. Extr	a	Rate		Basi \$	C Fee 710.00
Total Claims	1 - 20 =	0	х	\$ 18	=	\$	.00
Independent Claims	1 - 3 =	0	x	\$ 78	=	\$	.00
[0] Multipl	e dependent	claims		\$260	=	\$	.00

Fee for extra claims is not being paid at this time. (37 CFR 1.16(d))

6.	Smal	LI ENU	city Status
		A ve enti	erified statement that this filing is by a small ty:
			is attached
			has been filed in the parent application and such status is still proper and desired (37 CFR 1.28(a)).
		Fili	ng Fee Calculation (50% of above) 🤄
7.	Drav	vings	•
		Ø	A copy of the original information drawings is enclosed.
			Transfer the formal drawings from the prior application to this application and, subject to item 17 below, abandon said prior application as of the filing date according to this application. A duplicate copy of this request is enclosed for filing in the prior application file.
			Transfer the following sheets of drawing from the prior application to this application
			A copy of the amendment canceling these sheets of drawing in the prior application is attached.
		New	drawings are enclosed
			formal .
			informal
8.	Pric	rity	- 35 USC 119
		Prio	rity of application serial no filed on is claimed under 35
		USC	119.
			The certified copy has been filed in prior U.S. application serial no on
			The certified convivil feller

9.	Rela	te Ba	ck - 35 USC 120					
			d the specification by inserting before the first the sentence:					
		"Thi	"This is a					
			continuation					
	•	V	divisional					
	of copending application							
	•	E.	Serial No. 09/563,740 filed on May 3, 2000.					
			International Application No filed on and which designated the U.S.".					
10.	Inve	ntors	hip Statement					
	(a)	from	respect to the prior co-pending U.S. application which this application claims benefit under 35 USC the inventors in this application are:					
	•	V	the same					
			less than those named in the prior application and it is requested that the following inventors identified above for the prior application is deleted:					
			(Names of inventors to be deleted)					
	(b)	The are:	inventorship for all the claims in this application					
			the same					
			not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.					
11.	Assi	gnmen	t					
	V		prior application is assigned of record to the ed States of America.					
		An as	ssignment of the invention to the United States of ica, is attached. A separate \(\Pi\) "Cover Sheet for					

12.	Fee	Payme	nt being made at this time	
		Not (	enclosed	
			No filing fee is submitted.	
`	V	Encl	osed	
	`	VI	basic filing fee \$710.00	
		Ø	recording assignment \$\\\ 40.00 \\ (\$40.00 37 CFR 1.21 (h))	
			processing and retention \$ fee (\$130.00 37 CFR 1.53 (d) and 1.21 (1))	
			TOTAL fees enclosed \$750.00	
13.	Meth	od of	Payment of Fees	
		Enclo	osed is a check in the amount of	
`	VII		ge Deposit Account No. 50-0967 in the amount of .00. A duplicate of this request is attached.	
14.	Auth	orizat	tion to Charge Additional Fees	
		follo paper	Commissioner is hereby authorized to charge the owing additional fees which may be required by the and during the entire pendency of the application applications are posit Account No. 50-0967.	
			37 CFR 1.16 (a), (f) or (g) (filing fees)	
			37 CFR 1.16 (b), (c) and (d) (presentation of extra claims)	
			37 CFR 1.17 (application processing fees)	
			37 CFR 1.18 (issue fee at or before mailing Noti of Allowance, pursuant to 37 CFR 1.311 (b)).	ce

Assignment (Document) Accompanying New Patent Application" or □ Form PTO 1906 is also attached.

15.	Powe	r of Attorney					
•	<b>√</b> □	The power of attorney in the prior application is to:     James B. Bechtel, Esq.     Reg. No. 29,890     Patent Counsel, NSWC Dahlgren Division					
•	V2	The power appears in the original papers in the prior application.					
		Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.					
		A new power has been executed and is attached.					
`	V	Address all future communications to:					
	,	James B. Bechtel Reg. No. 29,890 Office of Counsel (Patents) Code CD222 Naval Surface Warfare Center Dahlgren Division Dahlgren, VA 22448-5100 Telephone: 540-653-8061 Facsimile: 540-653-7816					
16.	Main	tenance of Copendency of Prior Application					
		A petition, fee and response has been filed to extend the term in the pending prior application until  A copy of the petition for extension of time in the prior application is attached.					
17.		itional Petition for Extension of Time in Prior ication					
		A conditional petition for extension of time is being filed in the pending parent application.					
		A copy of the conditional petition for extension of time in the prior application is attached.					

18. Notification in Parent Application of the Filing of this Continuation Application
A notification of the filing of this continuation is being filed in the parent application from which this application claims priority under 35 USC 120.
I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
Respectfully submitted,
Date May 8, 2001  Attorney for Applicants Naval Surface Warfare Center Office of Counsel (Patents) (CD222)  17320 Dahlgren Road Dahlgren, VA 22448-5100 Telephone: 540-653-8061 Facsimile: 540-653-7816
CERTIFICATE OF MAILING VIA EXPRESS MAIL
I hereby certify that this paper (along with any referred to as being attached or enclosed is being deposited with the United States Postal Service on the date shown below with sufficient postage as to be sent by Express Mail in an envelope addressed to the Assistant Commissioner for Patents,

Beverly D. Cook